

Response from the Advisory Committee for Scotland (ACS) to Ofcom’s Consultation on the new BBC Scotland Channel (BBC SC) and the proposed variation to Ofcom’s Operating Licence for the BBC’s public services.

‘The Advisory Committee for Scotland advises Ofcom about the interests and opinions, in relation to communications matters, of persons living in Scotland.’

The response from the ACS to this consultation draws on the knowledge and expertise of ACS members and is informed by our individual experience and through discussion at our meetings. It does not represent the views of Ofcom or its staff.

Treatment of BBC Scotland and BBC Alba Programming in relation to requirements for programme making in the nations and regions. (2.5 & 2.6)

In its determination of a suitable proportion of network content for the purposes of calculating the BBC’s compliance with the outside M25 quotas for network programming, Ofcom propose to amend the License to assign zero-weight to BBC SC and BBC Alba programming.

The ACS is in agreement with this proposal.

Treatment of programming that has been co-commissioned by different BBC services (2.16)

In relation to co-commissions between different BBC network services, the BBC should apportion its expenditure based on the financial contribution made by each of the different BBC services. In relation to reporting hours for the quotas, the BBC should attribute all the hours to the service that broadcast the programme first.

The ACS is in agreement with both of these proposals. While we could see an argument that programmes that had their first run on BBC SC would not have been seen by the rest of the UK on their terrestrial channels, they would still have the opportunity to watch the programme through the BBC i-player.

Amending the existing Operating Licence conditions relating to BBC Scotland (2.23)

Ofcom has proposed a condition on BBC SC that it should “provide a suitable range of programmes” and a “range of genres in its programming that reflects Scotland’s culture”, of which 75% would comprise original productions. The ACS welcomes the latter target whilst remaining concerned that the channel budget is still very small in TV terms. The ACS is conscious that the small budgets allocated to commissions may dissuade Scottish independent production companies from pitching for the work. The ACS appreciates that Ofcom is a regulator and cannot interfere with BBC editorial policy; however, given the BBC’s fourth Public Purpose, to “invest in the development of each nation’s creative economy”, the ACS suggests Ofcom may wish to reflect on how that might be monitored in relation to the new channel.

Secondly, the ACS is concerned that the conditions stated above, are too general and open to interpretation as to what would be considered a suitable range of programmes and genres, particularly given that in the BBC’s own research for the new channel, the BBC received an average rating of 4 out of 10 from participants for its current performance in “reflecting and serving the diverse communities of the nations and regions”.

The BBC stated in its initial Public Interest Test (PIT) that the channel would look to create close bonds with its audience, “bringing high quality drama, comedy, factual, sport and entertainment

programmes that will seek to inform, to educate and to entertain". The BBC also published two indicative schedules for the new BBC Scotland channel in Annex 4 of its PIT.

The ACS advises Ofcom to take these intentions into consideration when monitoring BBC SC's programme output and to step in if they believe that they are not being met.

Imposing additional licence conditions

News

Ofcom has proposed that BBC SC should provide at least 250 hours of news content in Peak Viewing Time in each calendar year. In its PIT, the BBC indicated that the 9pm news hour would form the cornerstone of its schedule; "News and current affairs will be at the heart of the schedule, with a one hour, integrated news programme broadcast each week-night at 9pm, featuring international, UK and national stories, told from a Scottish perspective. Harnessing the BBC's global newsgathering resources, the news hour will offer insight and analysis to place Scotland in a global context".

The ACS, therefore, agrees with the Ofcom proposal that the BBC should provide at least 250 hours of news content in Peak Viewing Time in each calendar year.

Repeats

The BBC has committed to ensuring that repeats will make up no more than 50% of the new channel's output. However, Ofcom considered that it would "not be appropriate to set such a condition at this time."

The ACS has already expressed its concern that 50% repeat programming represents an extremely high number on a schedule, especially as the BBC is often criticised by the public for broadcasting too many 'repeats' across their various channels.

Furthermore, if we consider peak time to be 7pm to 11pm, then there will be 1460 hours broadcast in peak time across a calendar year. This would mean that the BBC SC could potentially broadcast up to 730 hours of repeat programmes across this time period. If the 250 hours of News is included as a first run programme (250 Hours), and these News programmes are not repeats, then the amount of repeats outside the news could be in excess of 60%.

The ACS advises Ofcom to consider introducing a license condition that BBC SC can broadcast a maximum of 50% of repeat programming and that this figure should not include any News & Current Affairs programmes.

The Advisory Committee for Scotland

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